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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/619,299  | 07/14/2003  | Francis E. Parsche   | 7162-99             | 6305             |
| 39207   | 7590        | 08/09/2005           | EXAMINER            |                  |
| SACCO & ASSOCIATES, PA<br>P.O. BOX 30999<br>PALM BEACH GARDENS, FL 33420-0999 |             |                      | A, MINH D           |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2821                |                  |

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/619,299             | PARSCHE ET AL.      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Minh D A               | 2821                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/24/05.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-22 is/are allowed.
- 6) ☒ Claim(s) 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 23 is rejected under 35 U.S.C. 102(b) as being unpatentable by Becavin et al (US 3,790,942).

Regarding claim 23, Becavin discloses a radio beacon comprising a radiation element arranged to produce a lobed cardioid radiation pattern. See col.4, lines 44-56.

### ***Allowable Subject Matter***

3. Claims 1-22 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, Becavin does not disclose the radiating member being substantially tubular and defining a cavity therein', an impedance matching device electrically connected to the radiating member, the impedance matching device disposed to match an impedance of said radiating member with at least one impedance selected from the group consisting of an impedance of a signal source and an impedance of a load; and a conductor operatively connecting the radiating member to the impedance matching device', the impedance matching device, the conductor and at least a portion of the radiating member are integrally formed from a single conductive

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sheet in combination with all limitations recited in independent claims 1 and 17, claims 2-9 and 18-22 are allowed since these claims are dependent on claims 1 and 17.

Regarding claim 10, Becavin does not disclose the radiating member being substantially tubular and defining a cavity therein; a non-conductive slot extending from a first portion of the radiating member to a second portion of said radiating member and an impedance matching device electrically connect to the radiating member, the impedance matching device disposed to match an impedance of said radiating member with at least one impedance selected from the group consisting of an impedance of a signal source and an impedance of a load; an absolute value of a field impedance associated with the antenna is substantially less than 50 ohms in combination with all limitations recited in independent claim 10, claims 11-16 are allowed since these claims are depending on claim 10.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Takei et al (US 5,977,924) and Mckinzie II et al. (US 20003/0011522) are cited to show a slot array antenna.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.



**HOANG V. NGUYEN**  
**PRIMARY EXAMINER**

Examiner

Minh A

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8/3/05